

Remarks

Claims 1-6, 9-19, 29-33 and 36-45 stand rejected. Claims 1, 12, 29 and 38 have been amended. Applicants assert that the currently pending claims are now in condition for allowance as set forth more fully below.

103 Rejections

Claims 1-6, 9, 11-13, 16-19, 29-33, 36, 38, 39 and 42-50 stands rejected under 35 USC §103(a) as unpatentable over Jones (6,219,648) in view of Peregrin's MELBA as disclosed in the article "Peregrine Systems Forms Alliance with Mitsubishi Electronics America; Integrated Enterprise Applications to be Developed" and further in view of Teglovic (5,692,030). Claims 10, 14, 15, 37, 40, 41 and 53 stands rejected under 35 USC 103(a) as being unpatentable over Jones in view of MELBA and Teglovic and further in view of Kidder. The Applicants respectfully traverse these rejections.

Amended independent claims 1, 12, 29 and 38 each contain similar elements not disclosed by Jones, Kidder, MELBA, Teglovic or any combination thereof. Specifically, independent claims 1, 12, 29 and 38 each contain recitations including a duplicate ticket monitor or the component steps performed by a duplicated ticket monitor. As an exemplary sample, independent system claim 1 recites,

"a trouble tracking system, comprising ...a duplicate ticket module in communication with the database wherein the duplicate ticket module periodically screens the trouble tickets to identify one or more duplicate trouble tickets, flags the one or more duplicate trouble tickets as a closed ticket and generates a list of duplicate trouble tickets..."

Similarly, independent method claim 29 recites,

"a method for tracking trouble tickets, comprising the steps of...screening the database to identify one or more duplicate trouble tickets; flagging the one or more duplicate trouble tickets as a closed ticket; generating a list of duplicate trouble tickets..."

Each of Jones, Kidder, MELBA and Teglovic disclose various components, subsystems and processes concerned with the creation, tracking and processing of trouble tickets. However, none of Jones Kidder, MELBA or Teglovic appears to teach, disclose or suggest the use of a duplicate ticket module to screen a database of trouble

tickets, flag duplicate trouble tickets as closed or generate a list of duplicate trouble tickets.

Independent claims 1, 12, 29 and 38 each contain further common elements not disclosed in Jones, Kidder, MELBA or Teglovic or any combination thereof. As a representative example, independent claim 1 recites

“a trouble tracking system, comprising... (ii) a severity level for the trouble ticket with the severity being indicated as a number on a scale between an initial number indicating a lowest severity and a last number indicating a highest severity, (iii) an indication that a status of the trouble ticket has been escalated where the severity has been increased...”.

Jones discloses a system that monitors a trouble ticket to determine whether each ticket remains unresolved for the time corresponding to the escalation level. The system sends an alert to a recipient assigned to the escalation level. (Col. 4, l. 1-10). The disclosure of Jones is contrary to the recitation. Measuring an elapsed time and sending an alert is not providing an indication that the status of the trouble ticket has been escalated where the severity has been increased.

Teglovic discloses a system whereby escalations occur by Manager/Agent agreement and recordation of anecdotal remarks including support for escalation of trouble reports. (Col. 6, l. 47-50). The disclosure of Teglovic is also contrary to the recitation. Having a conversation and making notes as to the escalating repair activities is not entering a latest severity level into a graphical user interface and an indication that the status of the trouble has been escalated on a scale of severity.

Furthermore, there is no suggestion or motivation to combine Jones and Teglovic since Jones works of a mere time differential and Teglovic is a note recordation system. Neither one utilizes a severity scale and an indication of a change in that scale. A reference must provide an explicit or implicit suggestion, teaching or motivation in order to be §103 prior art. (See, *In Re Dembiczak*, 175 F.3d 994, 50 U.S.P.Q.2D (BNA) 1614 (Fed. Cir. 1999) (Placing a pumpkin face on an orange trashbag not obvious under 35USC§103 without finding of suggestion, teaching or motivation in the reference); Furthermore, an argument based on the theory that “it was obvious to try” fails as an obviousness rejection. *In re Fine*, 837 F.2d 1071, U.S.P.Q.2D 1596 (Fed. Cir 1988). Applicants request that a reference disclosing the subject mater be provided.

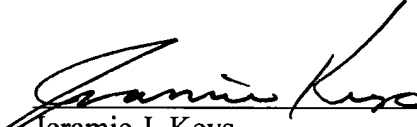
As such, since the combination of Jones, Kidder, MELBA and Teglovic fails to disclose or suggest all of the elements of amended independent claims 1, 12, 29 and 38, amended independent claims 1, 12, 29 and 38 are allowable over their combination. Dependent claims 2-6,9-11, 13-19, 30-33, 36-37 and 39-45 depend from one of independent claims 1, 12, 29 or 38 and are allowable for at least the same reasons.

Conclusion

Claims 1-31 and 33-46 are pending and stand rejected. Applicants assert that the application is in condition for allowance. Applicants respectfully request reconsideration in view of the remarks above and further request that a notice of allowability be provided. No additional fees are believed due. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

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